

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J. Troy WEEKS et al.
Title: Refined Plant Transformation
Appl. No.: 10/667,145
Filing Date: September 22, 2003
Examiner: Not yet assigned
Art Unit: 1638

TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts dated August 9, 2004, transmitted herewith are Formal Drawings of Figures 1, 2, 3, 4) (4 sheets, for the above-identified application. In compliance with 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121, the descriptive legends from Figures 2, 3, and 4 have been deleted. No amendment to the specification is necessary as the descriptive legends for Figures 2, 3 and 4 are included in paragraphs [0163], [0164] and [0165] on page 37 of the specification

The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

Respectfully submitted,

Date

October 8, 2004

By

Richard C. Peet

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5483
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Richard C. Peet
Attorney for Applicant
Registration No. 35,792



IFW
Atty. Dkt. No. 058951-0172

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**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop: MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed August 9, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- [X] Return Copy of Notice to File Missing Parts (3 pgs.);
- [X] Declaration and Power of Attorney (4 pgs.);
- [X] Submission of Formal Drawing Under 37 C.F.R. § 1.84 and 37 C.F.R. § 1.121 (1 pg.) along with 4 sheets of Formal Drawings for Figures 1, 2,3 and 4;
- [X] Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825 (1 pg.), together with computer-readable format of Sequence Listing (1 disk) and paper-readable format of Sequence Listing (23 pgs.); and
- [X] Amendment in Response to Notice Under 37 C.F.R. §§ 1.821-1.825 (14 pgs.).

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$790.00	\$790.00
Total	53	- 20 =	33 x	\$18.00 =	\$594.00
Claims:					
Independ	6	- 3 =	3 x	\$88.00 =	\$264.00
ents:					
If any Multiple Dependent Claim(s) present:			+	\$300.00 =	\$0.00
Surcharge under 37 CFR 1.16(e) for late filing			+	\$130.00 =	\$130.00
of Executed Declaration and late payment of filing fee					
				SUBTOTAL:	\$1,778.00
[] Small Entity Fees Apply (subtract ½ of above):					\$0.00
				TOTAL FILING FEE:	\$1,778.00
				TOTAL FEE	\$1,778.00
Difference to pay:			-	\$0.00 -	\$1,778.00

[X] Check in the amount of \$1,778.00 in payment of
surcharge fee (37 C.F.R. § 1.16(e))

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

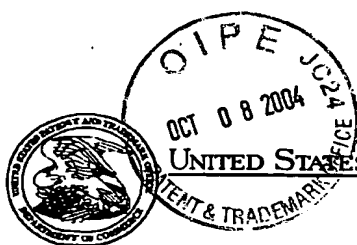
Respectfully submitted,

Date October 8, 2004

By Richard C. Peet

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Richard C. Peet
Attorney for Applicant
Registration No. 35,792



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/667,145	09/22/2003	J. Troy Weeks	058951-0172

22428
 FOLEY AND LARDNER
 SUITE 500
 3000 K STREET NW
 WASHINGTON, DC 20007

CONFIRMATION NO. 9031

FORMALITIES LETTER



OC000000013487493

Date Mailed: 08/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- ① • The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- ② • Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible (see 37 CFR 1.84(o)). See Figure(s) 4.
- ③ • This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May

10/12/2004 CNGUYEN 00000064 10667145

01 FC:1001	790.00 OP
02 FC:1051	130.00 OP
03 FC:1202	594.00 OP
04 FC:1201	264.00 OP

15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$852** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

\$1778

- ④ Total additional fee(s) required for this application is **\$1752** for a Large Entity

\$790

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$852**

\$264

- **\$258** for 3 independent claims over 3.
- **\$594** for 33 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

B.H.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY